

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Thomas Walter Thorne

Docket No. 5:04-CR-191-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Thomas Walter Thorne, who, upon an earlier plea of guilty to Conspiracy To Distribute and Possess With the Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on March 29, 2005, to the custody of the Bureau of Prisons for a term of 150 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On May 5, 2009, the defendant's term of imprisonment was reduced from 150 months to 135 months. All other conditions of the original judgment remained the same.

Thomas Walter Thorne was released from custody on April 11, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On June 7, 2015, the defendant was arrested and charged with Driving While Impaired (15CR53011) and Possession of Open Container/Consume Alcohol in Passenger Area (15IF291) in Johnston County, North Carolina. When questioned about the incident, Thorne admitted consuming alcohol and then getting behind the wheel of his vehicle. Also, on June 8, 2015, the defendant submitted a urine specimen that was positive for cocaine. Thorne admitted using cocaine on June 6, 2015, and signed an admission form indicating the same. Thorne was also asked to submit a urine specimen on June 12, 2015, when he reported to the probation office. He indicated that test might also show signs of cocaine use. As a result of the defendant's irresponsible use of alcohol and his use of cocaine, the defendant has been referred to substance abuse treatment and returned to the beginning phase of the Surprise Urinalysis Program. It is also recommended the defendant complete 24 hours of community service work as directed by the probation office. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Jeffrey L. Keller

Jeffrey L. Keller

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

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Executed On: June 23, 2015

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ORDER OF THE COURT

Considered and ordered this 23 day of June, 2015 and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge